

This email has been edited to remove personal contact information

From: Patricia Hurtado (BLOOMBERG/ FEDERAL C)

To: EUGENE CORCORAN

At: 06/20/17 17:14:29

Dear Gene, We are writing on behalf of our colleagues in the press who cover the Brooklyn Federal Courthouse regarding the case of U.S. v. Shkreli 15-cr-00637 and the upcoming trial.

Because of the high media interest in the case, from both traditional news organizations as well as new Internet media and bloggers, we are writing to ask you to consider reserving at least one row for in-house accredited press to ensure we are able to be in the courtroom for the trial.

As evidenced from the standing-room-only crowd which was in attendance for yesterday's Shkreli hearing, the case appears to be a popular one for the dozens of the courthouse's summer interns. We suggest perhaps that someone might be able to suggest they could alternatively watch court proceedings from the overflow room and allow the journalists, surrogates for the public who've been covering the case for months, to be in the courtroom and watch the trial in person.

We also writing to ask if Judge Matsumoto would allow having one pool reporter attend individual voire dire of potential jurors at sidebar. The reporter will listen only and take notes.

Other judges in the Brooklyn Federal courthouse have permitted this practice in other high-profile trials in years past including: U.S. District I. Leo Glasser during the second trial of John Gotti, U.S. District Judge Jack Weinstein employed this practice during Vincent Gigante's trial and then-U.S. District Judge Reena Raggi allowed us to attend sidebar conferences during the second Louima trial.

The courts have ruled in favor of the press's access to criminal trials and the Supreme Court unanimously concluded in Press-Enterprise there is a presumption in favor of public access in criminal trials including the voire dire examination of potential jurors. In 2004, the Second Circuit Court of Appeals ruled in favor of keeping voire dire open in ABC Inc. v. Martha Stewart during her 2004 criminal trial in federal court in Manhattan. Federal judges in Manhattan have also used this technique in other high-profile white-collar cases such as U.S. District Judge Kimba Wood in the trial of former New York State Senator Dean Skelos.

Thank you for your consideration and let us know if you have any questions? Pat Hurtado Bloomberg News, Andy Keshner, NY Daily News Emily Saul, NY Post Brendan Pierson, Reuters Stephanie Clifford NY Times Stewart Bishop, Law360